

IN THE UNITED STATES BANKRUPTCY COURT FOR THE MIDDLE DISTRICT OF TENNESSEE

In re:

John C. Jones and Judith K. Jones

Case No. 05-14911-MH3-11

xxx-xx-6233/xxx-xx-6646

655 Bamboo Court

Marco Island, FL 34145

Debtors.

THE DEADLINE FOR FILING A TIMELY RESPONSE IS: May 12, 2008
IF A RESPONSE IS TIMELY FILED, THE HEARING WILL BE: June 17, 2008, 9:00 a.m., Courtroom 3,
Second Floor Customs House, 701 Broadway, Nashville, Tennessee 37203.

NOTICE OF MOTION FOR FINAL DECREE AND FINAL ACCOUNTING

The Debtors have asked the Court for the following relief: **For a final decree and final accounting**

YOUR RIGHTS MAY BE AFFECTED. If you do not want the Court to grant the attached motion, or if you want the Court to consider your views on the motion, then on or before **May 12, 2008**, you or your attorney must:

1. File with the Court your response or objection explaining your position. **PLEASE NOTE: THE BANKRUPTCY COURT FOR THE MIDDLE DISTRICT OF TENNESSEE REQUIRES ELECTRONIC FILING. ANY RESPONSE OR OBJECTION MUST BE FILED ELECTRONICALLY. TO FILE ELECTRONICALLY, YOU OR YOUR ATTORNEY MUST GO TO THE COURT WEBSITE AND FOLLOW THE INSTRUCTIONS AT: <<https://ecf.tnmb.uscourts.gov>> .**

If you need assistance with Electronic Filing you may call the Bankruptcy Court at 615-736-5584. You may also visit the Bankruptcy Court in person at: 701 Broadway, 1st Floor, Nashville, TN (Monday - Friday, 8:00 a.m. - 4:00 p.m.).

2. Your response must state that the deadline for filing responses is **May 12 2008**, the date of the scheduled hearing is **June 17, 2008**, and the motion to which you are responding is **Motion for Final Decree and Final Accounting**.
3. You must serve your response or objection **by electronic service through the Electronic Filing System** described above. If a response is filed before the deadline stated above, the hearing will be held at the time and place indicated above. **THERE WILL BE NO FURTHER NOTICE OF THE HEARING DATE.** You may check whether a timely response has been filed by calling the Clerk's office at 615-736-5584 or viewing the case on the Court's web site at <<https://ecf.tnmb.uscourts.gov>>. **If you or your attorney do not take these steps, the Court may decide that you do not oppose the relief sought in the motion and may enter an order granting that relief.**

Date: 04-21-08

Signature: /s/ Timothy G. Niarhos

Name: Timothy G. Niarhos

Address: 611 Commerce Street #2720
Nashville, TN 37203

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

IN RE:)	
)	
JOHN C. JONES)	BK No. 05-14911-MH3-11
and JUDITH KAY JONES,)	
)	
Debtors.)	

MOTION FOR FINAL DECREE AND FINAL ACCOUNTING

The Debtors In Possession, pursuant to Fed.R.Bankr.P. 3022 and Local Rule 3022-1, file this Final Accounting and Motion for Final Decree. In support thereof, the Debtors state:

1. The Debtors filed a voluntary petition under Chapter 11 of the Bankruptcy Code on October 15, 2005. The Debtors' Plan of Reorganization, as confirmed on April 18, 2007, has been substantially consummated.

2. The Plan contained the following classes of creditors, with the following payment provisions:

a. Class 1 consisted of administrative claimants. Quarterly fees owed to the United States Trustee were paid on or before Confirmation and the Debtors have continued to make quarterly payments to the United States Trustee as they become due. The remaining holders of Class 1 Allowed Claims have been fully paid or as otherwise deferred by agreement between the holder of the Claim and the Debtors.

b. Class 2 consisted of the Claims of governmental units for taxes or penalties entitled to priority pursuant to 11 U.S.C. §507(a)(8). Payments to Class 2 Claimants were to be paid upon the sale and closing of each parcel of real estate sold through the Plan. No real estate that the Debtor has proposed to be sold through the Plan has been sold by the Debtor.

c. Class 3 consisted of the allowed secured claim of AmSouth Bank. AmSouth Bank holds a first deed of trust on 655 Bamboo Ct., Marco Island, Florida. The claim of AmSouth was to be paid as a continuing monthly payment, as defined by the note. In addition to the continuing monthly payment, the Debtors were required to pay the arrearage owed to AmSouth over sixty (60) months.

d. Class 4 consisted of the allowed secured claim of AmSouth Bank. AmSouth Bank holds a second deed of trust on 655 Bamboo Ct., Marco Island, Florida.

The claim of AmSouth was to be paid as a continuing monthly payment, as defined by the note. In addition to the continuing monthly payment, the Debtors were required to pay the arrearage owed to AmSouth over one hundred twenty (120) months.

e. Class 5 consisted of the allowed secured claim of Bank of America ("BOA"). The Class 5 Claim is secured by a first deed of trust in 7079 Jones Lane, South Fulton, Tennessee (the "Class 5 Collateral"). The note of Bank of America is an interest only note that accrues interest at the rate of prime, with a 10 year term. The claim of Bank of America was to be paid as an interest only note with interest at the rate of 8.25% per annum, and monthly payments in the amount of the balance multiplied times 8.25% divided by twelve, with a balloon payment due ten years from the Effective Date of the Plan.

f. Class 6 consisted of the allowed secured claim of Reelfoot Bank. Reelfoot Bank holds a first priority lien in the Account Receivable Note of Moors Resort. The note of Reelfoot is an interest only note that accrues interest at the prime rate. The allowed secured claim of Reelfoot Bank was to be amortized and payable with interest at the rate of 8.25% per annum, with a 10 year amortization.

g. Class 7 consisted of the allowed secured claim of First Tennessee Bank ("FTB"). The Class 7 Claim is secured by a deed of trust on 117 Morris Street, 121-125 Morris Street, 209 West State Line Road, South Fulton, Tennessee. The Class 7 Collateral (117 Morris Street, 121-125 Morris Street, 209 West State Line Road, South Fulton, Tennessee) was to be sold in the manner described in Section 5.2 of the Plan. Proceeds of such sale shall were to be first applied to reasonable sale expenses and the prior liens, then to payment of the Class 7 or Class 8 Claim. The Class 7 Collateral has not been sold.

h. Class 8 consisted of the claim of Regions Bank ("Regions"). The Class 8 Claim is secured by (a) real property located at 209 West State Line Road, South Fulton, Tennessee, as more particularly described in the documents creating the lien; and (b) real property located at 117 Morris Street, South Fulton, Tennessee known as the Shop and Prefab Building, (collectively known as the "Class 8 Collateral"). The Class 8 Collateral (117 Morris Street and 209 West State Line Road, South Fulton, Tennessee) was to be sold in the manner described in Section 5.2 of the Plan. Proceeds of such sale were to be first applied to reasonable sale expenses and the prior liens, then to payment of the Class 7 or Class 8 Claim. The Class 8 Collateral has not been sold.

i. Class 9 consisted of the allowed general unsecured claims not entitled to priority and not expressly included in the definition of any other class. No payments have been made to unsecured creditors.

3. All professional fee applications have been filed with the Court and served on the appropriate parties, as provided in Local Rule 9013-1.

4. The undersigned Debtors hereby declare, under penalty of perjury, that the payments under the Plan, as confirmed, have been made as indicated in the Final Accounting, attached hereto as **Exhibit A**, and that the payments made represent substantial consummation under the terms of the Plan.

WHEREFORE, Debtors pray that the Final Accounting be approved and that the Motion for Final Decree be issued pursuant to 11 U.S.C. §350(a), Fed.R.Bankr.P. 3022, and Local Rule 3022-1, and for such other relief as may be appropriate.

Respectfully submitted,

/s/ John C. Jones

John C. Jones

/s/ Judith Kay Jones

Judith Kay Jones

/s/ Timothy G. Niarhos

Samuel K. Crocker (skctrustee@aol.com)

Timothy G. Niarhos (tim@skctrustee.com)

CROCKER & NIARHOS

Suite 2720, Renaissance Tower

611 Commerce Street

Nashville, TN 37203

615-726-3322 – Telephone

615-726-6330 – Facsimile

Attorneys for Debtors

CERTIFICATE OF SERVICE

I hereby certify that a true and exact copy of the attached Motion for Final Decree and Final Accounting, proposed Final Decree and Order Closing Case and Notice of Motion was served upon all creditors and parties in interest, as shown on the mailing matrix which is attached to the original of this document and on file in the office of the Clerk of this Court, on April 21, 2008.

/s/ Timothy G. Niarhos

Timothy G. Niarhos

EXHIBIT A

FINAL ACCOUNTING OF JOHN C. JONES and JUDITH KAY JONES

BANKRUPTCY CASE NO. 05-14911-MH3-11

CLASS	CLAIMANT	AMOUNT PAYABLE UNDER PLAN	AMOUNT PAID
1	U.S. Trustee	Quarterly Fees	\$2,000.00
3	AmSouth Bank	Continuing payments and arrearage cure	40,910.28
4	AmSouth Bank	Continuing payment and arrearage cure	24,959.65
5	Bank of America	Continuing Payments	19,635.00
6	Reelfoot Bank	Continuing payments and arrearage cure	44,045.00
TOTAL			\$131,549.93

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

IN RE:

**JOHN C. JONES
and JUDITH KAY JONES,**

Debtors.

)
)
) **BK No. 05-14911-MH3-11**
)
)
)

FINAL DECREE AND ORDER CLOSING CASE

It appears to the Court that the Debtors filed a Final Accounting and Motion for Final Decree pursuant to Fed.R.Bankr.P. 3022 and Local Rule 3022-1, that proper notice was given in accordance with Local Rule 9013-1, and that no timely objections have been filed.

Accordingly, it is hereby **ORDERED** that the Motion for Final Decree is granted and this case is **CLOSED**.

This Order was signed and entered electronically as indicated at the top of the first page.

Submitted for Entry:

/s/ Timothy G. Niarhos
Samuel K. Crocker (skctrustee@aol.com)
Timothy G. Niarhos (tim@skctrustee.com)
CROCKER & NIARHOS
Suite 2720, Renaissance Tower
611 Commerce Street
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Attorneys for Debtors

Label Matrix for local noticing 0650-3 Case 3:05-bk-14911 Middle District of Tennessee Nashville Fri Apr 18 12:05:41 CDT 2008	AMSOUTH BANK 1501 WOODFIELD DR STE 400E SCHAUMBURG, IL 60173-6047	AmSouth Bank 1501 Woodfield Road Schaumburg, IL 60173-6052
American Express Travel Related Services Co c/o Becket and Lee LLP POB 3001 Malvern PA 19355-0701	BANK OF AMERICA, N.A. PO BOX 26012 NC4-105-03-14 GREENSBORO, NC 27420-6012	FIRST STATE BANK c/o David G. Mangum 2303 Franklin Road Nashville, TN 37204-2224
First Tennessee Bank National Association 511 Union Street, 3rd Floor Nashville, TN 37219-1736	HERITAGE BANK P.O. BOX 1410 FULTON , KY 42041-0410	KENTUCKY DEPARTMENT OF REVENUE LEGAL BRANCH - BANKRUPTCY SECTION P O BOX 5222 FRANKFORT, KY 40602-5222
MGLAW, PLLC 2525 WEST END AVENUE SUITE 1475 NASHVILLE, TN 37203-1780	REELFOOT BANK C/O THOMAS J. KEULER DENTON & KEULER, LLP PO BOX 929 PADUCAH, KY 42002-0929	Regions Bank c/o Charles W. Cook, III 424 Church Street Suite 2800 Nashville, TN 37219-2386
STANLEY JONES CORPORATION PO BOX 5260 SOUTH FULTON, TN 38257-0260	TRAVELERS CASUALTY AND SURETY COMPANY OF AME C/O JEFFREY S. PRICE MANIER & HEROD 150 FOURTH AVE. NORTH, SUITE 2200 NASHVILLE, TN 37219-2494	AMSOUTH BANK PO BOX 216 BIRMINGHAM AL 35201-0216
AMSOUTH BANK PO BOX 59720 SCHAUMBURG, IL 60159-0720	AmSouth Bank c/o Burnett & Matthews, LLP 4675 MacArthur Court, Suite 1540 Newport Beach, CA 92660-1884	Amsouth Bank P O Box 10063 Birmingham, AL 35202-0063
BANK OF AMERICA PO BOX 26003 GREENSBORO, NC 27420-6003	BANK OF AMERICA PO BOX 26012 NC4-105-03-14 GREENSBORO, NC 27420-6012	BANKOF AMERICA PO BOX 26012 NC4-105-03-14 GREENSBORO, NC 27420-6012
CAPITAL PARTNERS LEASING INC 2112 FIRST AVENUE NORTH BIRMINGHAM AL 35203-4202	FIRST CITIZENS NATIONAL BANK ATTN: STAN C. AVIS, SVP P O BOX 370 DYERSBURG TN 38025-0370	FIRST STATE BANK 609 BROADWAY SOUTH FULTON, TN 38257
FIRST TENNESSEE BANK NATIONAL ASSOCIATION ATTN: SPECIAL ASSETS 511 UNION STREET, 3RD FLOOR NASHVILLE, TN 37219-1736	First State Bank 115 Washington Avenue, Ste 102 P.O. Box 733 Union City, TN 38281-0733	First Tennessee Bank National Association Attn: Special Assets, Third Floor 511 Union Street Nashville, TN 37219-1733
HERITAGE BANK P.O. BOX 1410 FULTON, KENTUCKY 42041-0410	INDUSTRIAL DEVELOPMENT BOARD CITY OF BIRMINGHAM REGIONS BANK - CORP TRUST DEPT BIRMINGHAM AL 35203	JOHN C. JONES 655 BAMBOO CT MARCO ISLAND FL 34145-3805

JUDITH KAY JONES
655 BAMBOO CT
MARCO ISLAND FL 34145-3805

KENTUCKY DEPARTMENT OF REVENUE
LEGAL BRANCH - BANKRUPTCY SECTION
ATTN: LEANNE WARREN
P O BOX 5222
FRANKFORT, KY 40602-5222

OBION COUNTY TRUSTEE
PO BOX 147
UNION CITY, TN 38281-0147

REELFOOT BANK
PO BOX 308
UNION CITY TN 38281-0308

REGIONS BANK
COMMERCIAL PAYT PROCESSING
PO BOX 4010
MONTGOMERY AL 36103-4010

ROBERT J. GONZALES
120 30TH AVENUE NORTH
SUITE 1000
NASHVILLE TN 37203-1308

Regions Bank
c/o Charles W. Cook, III
Adams and Reese LLP
424 Church Street, Suite 2800
Nashville, TN 37219-2386

Regions Mortgage
P.O. Box 18001
Hattiesburg, MS 39404-8001

TRAVELERS BONDING PROGRAM
9020 OVERLOOK BLVD
BRENTWOOD TN 37027-3259

UNION PLANTERS BANK
PO BOX 66981
ST LOUIS, MO 63166-6981

US TRUSTEE
OFFICE OF THE UNITED STATES TRUSTEE
701 BROADWAY STE 318
NASHVILLE, TN 37203-3966

YORK INTERNATIONAL CORP
PO BOX 1592
YORK, PA 17405-1592

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NASHVILLE, TN 37203-3754

TIMOTHY G. NIARHOS
CROCKER & NIARHOS
611 COMMERCE ST STE 2720
NASHVILLE, TN 37203-3754

The following recipients may be/have been bypassed for notice due to an undeliverable (u) or duplicate (d) address.

(u)CROCKER & NIARHOS

(u)Regions Bank sucessor by merger to Amsouth

(d)American Express Travel Related Services C
c/o Becket and Lee LLP
POB 3001
Malvern PA 19355-0701

(d)American Express Travel Related Services C
c/o Becket and Lee, LLP
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Malvern, PA 19355-0701

(d)HERITAGE BANK
PO BOX 1410
FULTON, KY 42041-0410

(d)Reelfoot Bank
c/o Thomas J. Keuler
Denton & Keuler
P. O. Box 929
Paducah, KY 42002-0929

(d)STANLEY JONES CORPORATION
PO BOX 5260
SOUTH FULTON, TN 38257-0260

(d)TRAVELERS CASUALTY AND SURETY COMPANY OF A
C/O JEFFREY S. PRICE
MANIER & HEROD
150 FOURTH AVE. NORTH, SUITE 2200
NASHVILLE, TN 37219-2494

(d)JOHN C JONES
655 BAMBOO CT
MARCO ISLAND, FL 34145-3805

(d)JUDITH KAY JONES
655 BAMBOO CT
MARCO ISLAND, FL 34145-3805

End of Label Matrix
Mailable recipients 44
Bypassed recipients 10
Total 54